

UNITED STATES DISTRICT COURT

District of

Delaware

PLAINTIFF

Honeywell International, Inc., et al.

V. DEFENDANT AND THIRD PARTY PLAINTIFF

Apple Computer, Inc., et al.  
Defendants

and

Kyocera Wireless Corporation  
Third Party Plaintiff

*Alias*  
**THIRD PARTY SUMMONS IN A  
CIVIL ACTION**

Case Number: 04-1338

V. THIRD PARTY DEFENDANT

Philips Electronics North America Corp.  
Wintek Electro-Optics Corp., and  
Optrex America, Inc.

To: Name and address of Third Party Defendant

Optrex America, Inc.  
The Corporation Trust Company  
Corporation Trust Center  
1209 Orange St. Wilmington, DE 19801

**YOU ARE HEREBY SUMMONED** and required to serve on

PLAINTIFF'S ATTORNEY (name and address)

DEFENDANT AND THIRD-PARTY PLAINTIFF'S ATTORNEY  
(name and address)

Donald W. Huntley  
Huntley & Associates, LLC  
1105 N. Market St., Ste. 800  
Wilmington, DE 19801

an answer to the third-party complaint which is served on you with this summons, within 20 days after the service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default may be taken against you for the relief demanded in the third-party complaint. There is also served on you with this summons a copy of the complaint of the plaintiff. You have the option of answering or not answering the plaintiff's complaint, *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the third-party plaintiff is demanding judgment against you in favor of the original plaintiff under the circumstances described in Rule 14(c) Federal Rules of Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of plaintiff as well as to the claim of the third-party plaintiff. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

CLERK

DATE

(By) DEPUTY CLERK

## RETURN OF SERVICE

Service of the Summons and complaint was made by me(I)	DATE 3/16/05
NAME OF SERVER (PJNT) KEVIN DUNN	TITLE SPECIAL PROCESS SERVER

Check one box below to indicate appropriate method of service

- ☐ Served personally upon the defendant. Place where served: \_\_\_\_\_
- Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
- ☐ Name of person with whom the summons and complaint were left: \_\_\_\_\_
- ☐ Returned unexecuted: \_\_\_\_\_
- ☒ Other (specify): SERVED: OPTREX AMERICA, INC C/O THE CORPORATION TRUST CO. AT 1209 ORANGE STREET, WILMINGTON, DE; COPIES THEREOF WERE ACCEPTED BY: BRIAN PENROD (PROCESS AGENT)

## STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
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## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 3/16/05

Date

Signature of Server

BRANDYWINE PROCESS SERVERS, LTD.  
P.O. BOX 1360  
WILMINGTON, DE 19899-1360  
302- 475-2600

ALIAS THIRD PARTY SUMMONS